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LETTER DATED 9 JULY 1998 FROM THE ACTING PERMANENT REPRESENTATIVE OF GERMANY TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to draw to your attention the statement issued on 7 July 1998 by the Contact Group regarding the situation in Kosovo (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the Security Council.

(Signed) Gerard HENZE
Ambassador
Acting Permanent Representative
of Germany
to the United Nations

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Annex

Statement on Kosovo issued by the Contact Group on 8 July 1998

1. The Contact Group met in Bonn on 8 July. It reviewed the situation in Kosovo and took stock of the parties' response to the requirements set out in the statement on Kosovo issued in London on 12 June by Foreign Ministers of the Contact Group and of Canada and Japan (S/1998/567, annex), and implementation of the undertakings made by President Milosevic in Moscow on 16 June (see S/1998/526, annex).

2. The overall situation in Kosovo remains tense. The Contact Group noted with deep concern that, despite vigorous efforts undertaken by the members of the Contact Group, the prospects of a peaceful settlement have deteriorated since the Contact Group's meeting in London on 12 June 1998. Although the primary responsibility for the situation in Kosovo rests with Belgrade, the Contact Group acknowledges that armed Kosovo Albanian groups also have a responsibility to avoid violence and all armed activities. The Contact Group reiterated that violence is inadmissible and will not solve the problem of Kosovo. Indeed it will only make it more difficult to achieve a political solution. The Contact Group stressed its condemnation of violence and acts of terrorism in pursuit of political goals, from whatever quarter.

3. The Contact Group assessed Belgrade's response to the requirements set out in the 12 June London statement: to cease all action by the security forces affecting the civilian population and order the withdrawal of security units used for civilian repression; to enable an effective and continuous international observer group in Kosovo and allow unimpeded access for observers; to facilitate, in agreement with the Office of the United Nations High Commissioner for Refugees (UNHCR) and the International Committee of the Red Cross (ICRC), the full return to their homes of refugees and displaced persons and to allow free and unimpeded access for humanitarian organizations and supplies to Kosovo; and to make rapid progress in the dialogue with the Kosovo Albanian leadership. The Contact Group noted that:

- Withdrawal of security forces used for civilian repression has not yet been carried out, although the security forces have shown some measure of restraint recently;

- Rapid progress in the dialogue with the Kosovo Albanian leadership has not been achieved.

4. The Contact Group acknowledged the significance of the undertakings given by President Milosevic in his meeting with President Yeltsin on 16 June and emphasized the need for them to be fully implemented.

- It noted President Milosevic's commitment to allow international observers free and unrestricted access to Kosovo, which is in a first stage of implementation. It expected Belgrade to cooperate fully with those States which were enhancing their capability to observe

developments in Kosovo through secondment of additional personnel to their diplomatic representations in Belgrade. The Contact Group expected that President Milosevic's stated commitment to allow international observers in Kosovo will also permit an increase of size of the European Community Monitoring Mission presence in Kosovo.

- The Contact Group noted that there has been some improvement in the access to Kosovo for international humanitarian organizations such as UNHCR and ICRC. But the Contact Group also urged Belgrade to do more to facilitate the return of refugees and displaced persons to their homes, in particular by agreeing to security confidence-building measures. The Contact Group expressed its support for UNHCR'S regional approach to the refugee question. The Contact Group encouraged the European Union and other competent international organizations to continue to pursue the commitment of resources in order to create the conditions for an early return of refugees throughout the region.

5. The Contact Group called for an immediate cessation of hostilities in Kosovo in order to pave the way for continuous talks between Belgrade and the Kosovo Albanian leadership on additional confidence-building measures and the future status of Kosovo. Contact Group members will pursue this goal through immediate talks with both Belgrade and the Kosovo Albanians. It is clear that the Kosovo Albanian team for all these talks must be fully representative of their community in order to speak authoritatively.

6. The Contact Group concluded that Belgrade needed to take further action to implement fully the undertakings made by President Milosevic in Moscow on 16 June and the requirements of the Contact Group. The Contact Group also concluded that all concerned on the Kosovo Albanian side should commit themselves to dialogue and a peaceful settlement and reject violence and acts of terrorism. The Contact Group insisted that those outside the Federal Republic of Yugoslavia who are supplying financial support, arms or training for armed Kosovo Albanian groups should cease doing so immediately. It furthermore requested all States to pursue, as a matter of urgency, all means consistent with their domestic laws and relevant International Law, to prevent funds collected on their territory being used to contravene Security Council resolution 1160 (1998). Against this background, the Contact Group decided to pursue Security Council consideration of the adoption of a resolution reiterating the requirements mentioned above. This resolution should underline the need for a cessation of hostilities to permit a meaningful dialogue between the parties; enshrine the undertakings made by President Milosevic in Moscow; and require the authorities in Belgrade and all those concerned on the Kosovo Albanian side to ensure the safety of international observers operating in Kosovo. Should the required steps not be taken, the Contact Group will consider further action under the Charter of the United Nations, including action that may require the authorization of a Security Council resolution, to bring about compliance by those who block the process.

7. The Contact Group reiterated that it supports neither the maintenance of the status quo in Kosovo nor the Kosovo Albanians' claims for independence. It emphasized that international involvement in the dialogue between the Belgrade

authorities and representatives of the Kosovo Albanian community was an essential element of credible negotiations.

8. With this in mind, the Contact Group agreed to recommend to the negotiating teams basic elements for a resolution of the question of Kosovo's status. Contact Group members reaffirmed their intention to work actively for the achievement of the resolution of this issue.

9. As part of this, in order to help the parties, the Contact Group set in hand work to define possible further elements for the future status of Kosovo, which would be made available to the authorities in Belgrade and the leadership of the Kosovo Albanian community for a dialogue with international involvement.

10. Should substantive talks begin with the necessary security confidence-building measures in place and the launch of the mission of the Special Representative of the Chairman-in-Office of the Organization for Security and Cooperation in Europe (OSCE), the Contact Group remains prepared to promote a clear and achievable path towards Belgrade's full integration in the international community including participation in OSCE. The Contact Group's goal continues to be that the Federal Republic of Yugoslavia should reap the benefits of membership of international financial and political institutions.

11. The Contact Group expressed its concern about the situation in neighbouring countries. It asked competent international organizations to examine options further to stabilize the situation in Albania. The Contact Group also supported the extension of the mandate of the United Nations Preventive Deployment Force beyond 31 August 1998.

12. The Contact Group noted that the Prosecutor of the International Tribunal for the former Yugoslavia had now expressed the view that the situation in Kosovo represented an armed conflict within the terms of the mandate of the Tribunal. It reiterated its call for Belgrade and all those in Kosovo to cooperate with the Prosecutor's investigation of possible violations of international humanitarian law; and requested international observers operating in Kosovo to supply the Prosecutor with any relevant information.

13. The Contact Group noted that a representative of the Chairman-in-Office of OSCE met government representatives of the Federal Republic of Yugoslavia on 3 July in Belgrade. The Contact Group supported the continuation of contacts between OSCE and the Government of the Federal Republic of Yugoslavia with a view to the unimpeded and early return of the long-term OSCE missions to the Federal Republic of Yugoslavia, the early launching of the mission of the Special Representative of the Chairman-in-Office of the Organization for Security and Cooperation in Europe, and a dialogue across the full range of the Federal Republic of Yugoslavia's relations with OSCE.